

REMARKS

Claims 1-3, 5-7, 9-11, 13-16 and 21-34 are pending. Claims 4, 8, 12, 17-20 have been previously canceled.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 1-3, 5-7, 9-11, 13-16 and 21-34 under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0219715 (Kwon et al.) in view of U.S. Patent No. 6,767,818 (Chang et al.). The Examiner states that Kwon et al. discloses all the limitations except for the conductive bump to include an electrically insulative layer. The Examiner further states that Chang et al. contains a bump pad, an electrically insulating bump layer and a conductive layer formed over the electrically insulative layer. The Examiner states it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Kwon et al. by incorporating an electrically insulating bump layer. Applicants respectfully traverse the rejection.

U.S. Patent No. 6,767,818 was filed on August 7, 2000 before the filing date of the present application and was issued on July 27, 2004, after the filing date of the present application. The named inventors of U.S. Patent No. 6,767,818 are S. Chang, Chen, Hseih Huang, Ni, C. Chang and Jou while the inventors of the present application are Huang, S. Chang and Lu. Consequently, U.S. patent No. 6,767,818 was invented by "another" with respect to the present application. Accordingly, U.S. Patent No. 6,767,818 falls outside of the strictures of 35 U.S.C. 102(a), 35 U.S.C. 102(b), 35, U.S.C. 102(c) and 35 U.S.C. 102(d) and within the strictures of 35 U.S.C. 102(e).

35 U.S.C. 103(c)(1) states:

"Subject matter developed by another person, which qualifies as prior art only under one or more sections of subsections (e), (f) or (g) of section 102 of this title shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an assignment of the same person."

U.S. Patent No. 6,767,818 qualifies as prior art only under 35 U.S.C.102(e). U.S. Patent 6,767,818 and the present application were, at the time the claimed invention was made, owned by the same person (i.e. Industrial Technology Research Institute) as evidenced by the attached copy of the Abstract of Title for U.S. Patent No. 6,767,818 and the attached Assignment of the inventors to Industrial Technology Research Institute for the present application. Consequently, under the statutes, U.S. Patent No. 6,767,818 is not valid prior art.

Since U.S. Publication No. 2004/0219715 fails to teach or suggest a conductive bump to include an electrically insulative layer (see Examiner's statement), and U.S. Patent No. 6,767,818 is not valid prior art, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3, 5-7, 9-11, 13-16 and 21-34.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 1-3, 5-7, 9-11, 13-16 and 21-26 under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0183933 (Kobayashi) in view of U.S. Patent No. 6,767,818 (Chang et al.). The Examiner states that Kobayashi discloses all the limitations except for the conductive bump to include an electrically insulative layer. The Examiner further states that Chang et al. contains a bump pad, an electrically insulating bump layer and a conductive layer over formed over the electrically insulative layer. The Examiner states it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Kobayashi by incorporating an electrically insulating bump layer.

Applicants respectfully traverse the rejection on the basis that U.S. Patent No. 6,767,818 is not valid prior art under the statutes, as discussed above. Since U.S. Publication No. 2003/0183933 fails to teach or suggest a conductive bump to include an electrically insulative layer (see Examiner's statement), and U.S. Patent No. 6,767,818 is not valid prior art, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3, 5-7, 9-11, 13-16 and 21-26.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the instant application, including claims 1-3, 5-7, 9-11, 13-16 and 21-34, is in condition for allowance. A Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,

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(Date)

By: 

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